

# Exhibit 3

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:

TETHER AND BITFINEX CRYPTO ASSET  
LITIGATION

No. 19 Civ. 9236 (KPF)

**PLAINTIFFS' NOTICE OF  
RULE 30(B)(6) DEPOSITION OF  
DEFENDANT iFINEX INC.**

**PLEASE TAKE NOTICE** that pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure, Plaintiffs in the above-captioned action, by and through their undersigned counsel, will take the deposition upon oral examination, under oath, of one or more Designees of iFinex Inc. ("Defendant"). The deposition will commence at 9:00 A.M. Eastern Standard Time on June 1, 2023, at the offices of Selendy Gay Elsberg PLLC, 1290 Avenue of the Americas, New York, N.Y. 10104, or at some other time or place agreed upon by the parties.

The deposition will concern the topics set forth in **Schedule A** attached hereto. Defendant must designate and make available for the purpose of giving testimony on its behalf at the deposition one or more of its officers, directors, corporate representatives, or other persons who are most knowledgeable and consent to testify about each of the subjects identified in Schedule A ("Designees"). The Designees shall testify as to matters known or reasonably available to Defendant. Plaintiffs request that Defendant provide, in advance of the deposition, the names and titles of its Designees, along with a summary of the areas about which each Designee will testify.

The deposition will be taken before an officer authorized to administer oaths under the laws of the United States, recorded by stenographic means, and videotaped. All counsel of record are invited to attend and participate.

Dated: May 15, 2023  
New York, NY

By: Andrew R. Dunlap

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## SCHEDULE A

### **Definitions and Instructions**

All definitions apply throughout without regard to capitalization. All topics, unless otherwise indicated, shall be understood to be limited to the Relevant Time Period. The rules of construction set forth in Rule 26.3(d) of the Local Civil Rules of The United States District Courts for the Southern and Eastern Districts of New York are incorporated herein by reference. In addition, the following rules and definitions apply:

1. Any tense of a verb includes all tenses.
2. Any natural person includes that person's agents, assigns, attorneys, employees, representatives, and successors.
3. Any entity other than a natural person includes (a) that entity's present and former agents, affiliates (foreign or domestic), assigns, attorneys, consultants, directors, divisions, employees, officers, parents, predecessors, representatives, servants, subsidiaries, and successors; (b) any person or entity, directly or indirectly, wholly or in part, associated with, controlled by, or owned by that entity; (c) and any other person or entity acting or purporting to act on behalf of (a) or (b).
4. "Action" shall mean any and all proceedings and litigation efforts initiated by and relating to the Complaint.
5. The term "Anonymous Trader" refers to the purported owner of the 1J1D and 1AA6 wallet addresses identified in the Complaint and referenced in the Court's order at ECF No. 288.
6. The term "B/T Defendants" refers to DigFinex Inc., Tether Defendants, Bitfinex Defendants, Ludovicus Jan van der Velde, and Giancarlo Devasini.
7. The terms "Bitfinex" or "Bitfinex Defendants" mean iFinex, Inc., BFXNA Inc., and BFXWW Inc. and include the officers, directors, agents, employees, partners, predecessors,

subsidiaries and affiliates of those entities and all other persons (as defined herein) presently or formerly acting or purporting to act on behalf of any those entities or who are subject to the direction or control of any of those entities.

8. “Complaint” shall refer to the Amended Consolidated Class Action Complaint filed in this Action as ECF No. 114.

9. “Including” means including but not limited to.

10. “Relating to,” “relating to,” “referring or relating to,” and “related to” include, in addition to their customary and usual meanings, the following: pertaining to, making reference to, concerning, comprising, evidencing, alluding to, responding to, connected with, commenting on, with respect to, about, regarding, resulting from, embodying, explaining, supporting, discussing, showing, describing, reflecting, analyzing, constituting, setting forth, in respect of, or having any logical or factual connection with the subject matter in question.

11. The terms “Tether” and “Tether Defendants” mean Tether Holdings Limited, Tether Operations Limited, Tether Limited, and Tether International Limited and includes the officers, directors, agents, employees, partners, predecessors, subsidiaries and affiliates of those entities and all other persons (as defined herein) presently or formerly acting or purporting to act on behalf of any those entities or who are subject to the direction or control of any of those entities.

12. “USD” refers to United States Dollars.

13. “USDT” refers to the crypto-asset created by Tether and commonly referred to as “United States Dollar Tether,” “USDT,” or “tether.”

14. “You” and “Your” shall mean iFinex, Inc. and each of its current or former subsidiaries, affiliates, parents, predecessors, successors, divisions, departments, operating units, funds,

any Persons acting on its behalf or under its control, and each of the foregoing's respective advisors, attorneys, agents, directors, employees, members, partners, representatives, and staff.

**Deposition Topics**

1. The corporate structure of, and relationships among, Bitfinex Defendants.
2. The identities, roles, and responsibilities of the employees, shareholders, officers, and directors of each of Bitfinex Defendants.
3. The mechanics and operations of the Bitfinex crypto-asset exchange, including the mechanics and operations of purchases, sales, trades, or exchanges of crypto-assets or fiat currency on that exchange, market making on that exchange, and over-the-counter trading on that exchange.
4. Bitfinex Defendants' policies, practices, and procedures for storing USDT, including any accounts, hot wallets, and cold wallets used for such storage.
5. Bitfinex Defendants' policies, practices, and procedures for recordkeeping and accounting, including without limitation for the authorization, issuance, and redemption of USDT.
6. Bitfinex Defendants' policies, practices, and procedures for storing and using customer assets (including crypto-assets and fiat currency), including without limitation any accounts or wallets used to hold those assets and the segregation of customer assets from assets owned by Bitfinex or Tether Defendants.
7. Bitfinex Defendants' policies, practices, and procedures for trades denominated in fiat currency, including without limitation treating US Dollars and USDT as equivalent.
8. Bitfinex Defendants' policies, practices, and procedures for receiving USDT from Tether Defendants.
9. Bitfinex Defendants' policies, practices, and procedures for loaning crypto-assets or fiat currency, including without limitation margin trading.

10. Bitfinex Defendants' policies, practices, and procedures for issuing credit lines to customers, employees, agents, or other entities.

11. The accounts or wallets owned or controlled by Bitfinex Defendants, including without limitation any treasury accounts, reserve accounts, "float" accounts, "house" accounts, and equity accounts.

12. Any accounts owned or controlled by Bitfinex Defendants holding amounts owed or accounts payable to Tether Defendants.

13. Transactions for the purchase, sale, or trade of an asset (including crypto-assets and fiat currency) conducted by Bitfinex officers, employees, or agents on behalf of or related to the business of any of the B/T Defendants.

14. Any efforts by Bitfinex Defendants to maintain the market price of USDT at one U.S. dollar to one USDT.

15. Bitfinex Defendants' policies, practices, and procedures for setting prices for crypto-assets, including without limitation Bitcoin and Ethereum, on the Bitfinex Exchange and Bitfinex over-the-counter trading platform.

16. Bitfinex Defendants' relationship with the Anonymous Trader, including without limitation any financial terms, benefits, offers, accommodations, or agreements with the Anonymous Trader.

17. The definitions, variables, and inputs used in transaction records produced by the B/T Defendants in this case, including without limitation transaction records associated with Bitfinex's over-the-counter transactions and documents produced with the following Bates Stamps:

BITFINEX\_TETHER\_0313882, BITFINEX\_TETHER\_0313495,  
BITFINEX\_TETHER\_0572747, BITFINEX\_TETHER\_0572749,  
BITFINEX\_TETHER\_0572756, BITFINEX\_TETHER\_0573214,  
BITFINEX\_TETHER\_0148398, BITFINEX\_TETHER\_0148406,

BITFINEX\_TETHER\_0580332, BITFINEX\_TETHER\_0580338,  
BITFINEX\_TETHER\_0588499, BITFINEX\_TETHER\_0588440,  
BITFINEX\_TETHER\_0588744, BITFINEX\_TETHER\_1020362,  
BITFINEX\_TETHER\_1020364, BITFINEX\_TETHER\_1025258,  
BITFINEX\_TETHER\_1025444, BITFINEX\_TETHER\_0921787,  
BITFINEX\_TETHER\_0921788.



**CERTIFICATE OF SERVICE**

I, Andrew Dunlap, hereby certify that on the 15 day of May, 2023, I caused to be served of the foregoing document upon counsel of record by Plaintiffs.

Dated: New York, NY  
May 15, 2023

/s/ Andrew R. Dunlap  
Andrew R. Dunlap